

# United States District Court

for the

Western District of New York

United States of America

v.

Case No. 22-MJ-524

DAVID GUEST

*Defendant*

## CRIMINAL COMPLAINT

I, JORDAN F. SLAVIK, the complainant in this case, state that the following is true to the best of my knowledge and belief that in the Western District of New York, the defendant violated offenses described as follows:

Beginning in or about January 1, 2019 through the present, in the Western District of New York and elsewhere, the defendant, DAVID GUEST with the intent to harass and intimidate another person, used an interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct; that caused, attempted to cause or would be reasonably expected to have caused substantial emotional distress to a person, in violation of Title 18, United States Code, Section 2261A(2)(B).

SEE ATTACHED AFFIDAVIT OF SPECIAL AGENT JORDAN F. SLAVIK, FBI.

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.


Sworn to before me and signed in my presence.

Date: February 15, 2022

City and State: Rochester, New York

  
*Complainant's signature*

JORDAN F. SLAVIK, Special Agent, (FBI)  
*Printed name and title*

  
*Judge's signature*

MARK J. PEDERSEN  
UNITED STATES MAGISTRATE JUDGE  
*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

STATE OF NEW YORK     )  
COUNTY OF MONROE    )     SS:  
CITY OF ROCHESTER     )

JORDAN F. SLAVIK, being duly sworn, deposes and states:

1.     I have been a Special Agent with the Federal Bureau of Investigation (FBI) since September 2019. I am currently assigned to the Cyber Squad, Buffalo Division, in Rochester, New York. As part of the Cyber Squad, I work on investigations involving criminal and national security cyber intrusions, business email compromises, and the use of computers and the internet in furtherance of crimes involving extortion, fraud, and child pornography offenses. I have gained experience through training and everyday work related to these types of investigations. I am familiar with the fundamental operations of the internet, hardware and software, and the communication protocols across each. Experience with similar investigations and working with other FBI Special Agents and computer forensic professionals has expanded my knowledge of internet communications to include internet-based obfuscation techniques. I have participated in the execution of warrants involving the search and seizure of computers, computer equipment, mobile phones and tablets, and electronically stored information, such as email and social media accounts, in conjunction with various criminal investigations.

2.     I make this affidavit in support of a criminal complaint charging DAVID GUEST (hereinafter "GUEST") with violating Title 18, United States Code, Section 2261A(2)(B) (Stalking – Cause Substantial Emotional Distress).

3.     The facts contained in this affidavit are based upon my personal knowledge and involvement in this investigation, my review of documents and records, and information

provided to me by other members of law enforcement, witnesses, and an interview with GUEST. Because this affidavit is being submitted for the limited purpose of establishing probable cause to support criminal complaint, I have not included every fact known to me concerning this investigation.

#### **Background of Investigation**

4. In October 2021, FBI Buffalo was contacted by the New York State Police (NYSP) with regard to a cyberstalking referral. The NYSP related that they were contacted by the VICTIM, a 22-year-old female living near Rochester, New York, who reported that someone obtained her nude photographs and was using them to extort, threaten, and harass the VICTIM online. The FBI accepted the case for investigation and engaged in multiple interviews with the VICTIM over the following weeks.

5. In sum and substance, the VICTIM reported that she dated GUEST from 2015 to 2019 when she was 16 to 20 years old. During this period, the VICTIM produced and sent photographs and videos to GUEST depicting the VICTIM engaged in sexually explicit conduct. Some of this content was produced when the VICTIM was a minor, and therefore constitutes child pornography as defined by 18 U.S.C. § 2256(8). The VICTIM reported that she never sent this content to anyone other than GUEST and was not aware as to how her photographs and videos had been disseminated.<sup>1</sup>

6. The VICTIM reported (and the FBI has confirmed through surveillance, records, and other means) that GUEST resides with his family at 34 Dunbar Road, Hilton, New York (the SUBJECT PREMISES) and that his current phone number is 585-851-xxxx.

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<sup>1</sup> As explained below, GUEST has now been identified as the perpetrator.

7. According to the VICTIM, beginning in 2019 (near the time that her relationship with GUEST ended), someone sent the nude photographs/videos that the VICTIM produced for GUEST to the VICTIM's acquaintances and family members. The VICTIM also learned that her images had been posted online to various porn/exposure websites.

8. Specifically, in November 2020 the VICTIM learned that someone created an Instagram account in the VICTIM's name and that the person used the account to post her nude photographs online. The VICTIM confronted the person on Instagram near that time and informed him that she was a minor in some of the photographs (indicating that the material constituted child pornography and was illegal). The perpetrator responded that he did not care and threatened to post more photographs of the VICTIM if she did not provide him with additional sexually explicit material.

9. The VICTIM reported that the perpetrator began to message the VICTIM daily, calling her names, threatening her, and demanding that she produce and send him additional sexually explicit content. The VICTIM blocked the perpetrator; however, he frequently made new Instagram accounts, which he used to post nude photographs of the VICTIM and extort her into creating new content. During these exchanges, the perpetrator sent several videos of a penis to the VICTIM, including videos of an unidentified male masturbating to her nude photographs. The perpetrator also "friended" numerous individuals on social media, including the VICTIM's grandfather, so that they would see the VICTIM's photos.

10. The VICTIM reported that in the Spring of 2020, a college classmate informed her that she had seen the VICTIM's nude photographs on a website along with the VICTIM's full name. In December 2020, two additional college classmates informed the VICTIM that

they had been contacted on Instagram by an unknown individual, who also sent the VICTIM's nude photographs. Shortly after messaging the VICTIM's classmates, the perpetrator deleted the Instagram account. The VICTIM further reported that in December 2020, the perpetrator sent nude photographs of the VICTIM to the VICTIM's father via his work email, and in August 2021, one of the VICTIM's high school classmates informed her that he received nude photographs of the VICTIM from the perpetrator on Facebook. The perpetrator also sent the VICTIM's photographs to a "FAMILY FRIEND" who worked with the VICTIM's father.<sup>2</sup>

11. FBI Agents have engaged in multiple interviews with the FAMILY FRIEND, who reports that he received several unsolicited emails from "j.doby1@yahoo.com" and "rahpics1@gmail.com" containing sexually explicit content depicting the VICTIM.

#### **Identification of DAVID GUEST**

12. Based on this information, in December 2021, a grand jury subpoena was served on Yahoo for the j.doby1@yahoo.com account. According to records provided by Yahoo, the account was created and accessed between November 8, 2021 and November 29, 2021 by IP Address 67.253.170.35 (SUBJECT IP). The account listed GUEST's phone number 585-851-xxxx as a "verified" number associated with the account.

13. In January 2021, a grand jury subpoena was served on Charter for the SUBJECT IP. According to records provided by Charter, the SUBJECT IP was assigned to GUEST'S home, 34 Dunbar Road, Hilton, NY (the SUBJECT PREMISES).

14. On December 13, 2021, a search warrant was served on Yahoo for the j.doby1@yahoo.com account. Records produced by Yahoo indicated that the

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<sup>2</sup> These individuals did not solicit any such communications from the perpetrator.

j.dobyl@yahoo.com account was associated with one of the Instagram accounts that was previously used to harass the VICTIM: “anonrh\_” (SUBJECT INSTAGRAM). Yahoo records also showed the following:

- a. On November 8, 2021 the perpetrator sent three nude photographs of the VICTIM to the FAMILY FRIEND along with three easily recognizable clothed photographs of the VICTIM. The email subject was “Look what I found.”
- b. On November 8, 2021 the perpetrator sent the FAMILY FRIEND three sexually explicit videos of the VICTIM. The email subject was “More.”
- c. On November 8, 2021 the perpetrator sent the FAMILY FRIEND ten nude photographs of the VICTIM. In the email the perpetrator wrote: “[the VICTIM] loves showing off to u. she wanted u to see her nudes.”
- d. On November 8, 2021 the perpetrator sent the FAMILY FRIEND a sexually explicit video of the VICTIM. The email subject was “She wants u.” In the email the SUBJECT wrote: “She wants u to check her out more n grab her ass when u give her a hug.”
- e. On November 9, 2021 the perpetrator sent the FAMILY FRIEND a sexually explicit video of the VICTIM. In the email the perpetrator wrote: “She wishes u would do this to her.”
- f. On November 10, 2021 the perpetrator sent the FAMILY FRIEND two pictures of an unknown individual’s penis next to a nude picture of the VICTIM.
- g. On November 10, 2021 the perpetrator sent the FAMILY FRIEND three videos of an unknown individual masturbating to nude pictures of the VICTIM.
- h. On November 29, 2021 the perpetrator sent the FAMILY FRIEND a nude photograph of the VICTIM.
- i. On December 2, 2021 the perpetrator sent the FAMILY FRIEND explicit videos and photographs of the VICTIM.
- j. On December 3, 2021 the perpetrator sent the FAMILY FRIEND two nude photographs of the VICTIM.
- k. On December 4, 2021 the perpetrator sent the FAMILY FRIEND two explicit videos of the VICTIM.
- l. On December 6, the perpetrator sent the FAMILY FRIEND nine nude photographs of the VICTIM.

15. In late 2021, several nude photographs of the VICTIM were posted to different porn sites. Included in these sites was the website anon.al. Anon.al is a website on which users can anonymously post and comment on nude pictures. Two posts containing the VICTIM's nude photographs were located under a section of the website specified for "New York" women. The first post on November 5, 2021 included the VICTIM's name and school in the title. The second post on November 10, 2021 was titled "Exposed slut."

16. Also in December 2021, the VICTIM informed FBI Agents that she had been contacted and harassed on Instagram by the "anonrh\_\_" (SUBJECT INSTAGRAM) account. In addition to messaging her, the perpetrator put an explicit photograph of the VICTIM as the profile picture. On January 2, 2022, the VICTIM informed FBI Agents that the perpetrator was still actively messaging her on Instagram. In one of the messages, the perpetrator sent the VICTIM a photograph depicting the VICTIM engaged in a sex act (it appears that the photo was photo-shopped) and threatened to disseminate the photo to the VICTIM's family and friends.

17. A grand jury subpoena was served on Instagram for the "anonrh\_\_" (SUBJECT INSTAGRAM) account responsible for these communications. Records provided by Instagram indicate that the account was created and accessed on multiple occasions using the SUBJECT IP. The account also listed GUEST'S phone number (585-851-xxxx) as the associated phone number for the account, and "daveguesstbusiness@gmail.com" (GMAIL 1) as its associated email.

18. The VICTIM further reported that her nude photographs had been posted onto Reddit and Kik on or about December 6, 2021. In response, a grand jury subpoena was served on Reddit seeking information for the "Desperate-Ad-7839" account that posted the VICTIM's images. Records returned by Reddit indicate that the account was accessed on



multiple occasions between August 20, 2021 and December 9, 2021 from the SUBJECT IP, which is registered to GUEST'S home, the SUBJECT PREMISES. In addition, daveguesstbusiness@gmail.com (GMAIL 1) was listed as the email address associated with the Reddit account that posted the VICTIM's photographs.

19. A grand jury subpoena was also served on Kik seeking information for the "easyname5" account that posted the VICTIM's images to that platform. Records returned by Kik indicate that the account was created and accessed on multiple occasions using the SUBJECT IP, which is registered to the SUBJECT PREMISES. In addition, the email address daveguestmoving@gmail.com (GMAIL 2) was listed as the Kik account's associated email address.

20. Grand Jury subpoenas seeking subscriber and IP information were served on Google for the daveguesstbusiness@gmail.com (GMAIL 1) and daveguestmoving@gmail.com (GMAIL 2) accounts. According to records provided by Google, both have been accessed by the SUBJECT IP belonging to GUEST's home, and both list GUEST's phone number as the phone number associated with the accounts.

21. On January 14, 2022, a search warrant was served on Google for both the daveguesstbusiness@gmail.com (GMAIL 1) and daveguestmoving@gmail.com (GMAIL 2). Records provided by Google have revealed the following with respect to GMAIL 1:

- a. The account was created in the name David Guest, with GUEST's correct date of birth: 31 December 1997;
- b. An iPhone 12 mini named "David's iPhone" was associated with the account;
- c. Saved metadata from the account's Google Maps listed 21 Probert Street, Rochester, NY as a "Home" location. DMV records indicate that GUEST resided at 21 Probert before living at the SUBJECT PREMISES;



- d. The account was used to register numerous other internet accounts, including Adobe, Charter, PayPal, Uhaul, and UPS, in the name “David Guest”;
- e. The account had multiple product orders shipped in GUEST’s name to the 21 Probert Street address;
- f. The account had multiple food and clothing orders in GUEST’s name;
- g. In October 2020, the account emailed a leasing application which contained GUEST’s correct name, date of birth, Social Security Account Number, Driver’s License, and the full address for the SUBJECT PREMISES;
- h. Between May 2020 and July 2021, the account received multiple emails from the NYS Department of Labor regarding an unemployment claim for GUEST;
- i. In May 2021, the account received a copy of GUEST’s 2020 TurboTax Return document from annaguestt@yahoo.com;
- j. Between June and November 2021, the account received receipts for approximately 11 Uhaul truck reservations. The reservations were made to “David Guest” and included the Probert Street address as well as the GUEST’s phone number;
- k. In November 2021, the account received an email from UPS confirming that the account holder had been hired at the Lehigh Station Rd. Henrietta, NY location as a pre-loader (in January 2022, FBI Agents confirmed with UPS that GUEST was currently employed at that location).

22. Based on the above, there is probable cause to believe that GUEST created and controls the daveguesstbusiness@gmail.com account (GMAIL 1).

23. Records for GMAIL 1 further demonstrate that GUEST has used the account to commit the crimes alleged herein. For example, in March 2020 GUEST used the GMAIL

1 account to create an account with the pornographic website “Motherless.com,” where the VICTIM’s photographs were subsequently posted.

24. In addition, between March 2020 and January 2022, GUEST used the GMAIL 1 account to maintain multiple Instagram accounts under the following usernames:

- a. Dontbescared10
- b. Johndoby01
- c. [VICTIM’S NAME 0]
- d. [VICTIM’s Full Name]
- e. [VICTIM’S NAME 01]
- f. [VICTIM’S FIRST NAME h005]
- g. Rhockjugs
- h. [VICTIM’S NAME milkers]
- i. Favoriteslut00
- j. Anonrh\_
- k. Youaremine00
- l. Youaremine\_10

25. The records also revealed that throughout 2021, GUEST used the GMAIL 1 account to create and maintain a number of different Reddit accounts, including “Desperate-Ad-7839” which was used to post the VICTIM’S images on Reditt. The records further revealed that GUEST posted the VICTIM’s explicit images onto a number of different Reddit subpages, including r/JizzedToThis, r/homegrowntits, r/CockTributes, r/sluts, r/dirtykikpals, r/Nude\_Selfie, r/cumtributes, r/BBW, and r/Cuckik. Each time another Reddit user would comment on one of these posts, GUEST would receive an email notification to GMAIL 1 account. According to the records, GUEST made at least 140 posts of the VICTIM’s images onto Reddit. The titles of these Reddit posts included the following:

- a. Exposed slut [VICTIM’S FIRST NAME]
- b. My gfs tits

- c. Slut still doesn't know she's jerk material for everyone on the internet
- d. I wanna talk about my girl and how popular her nudes are
- e. Anyone wanna jizz to my girl?
- f. Who remembers [VICTIM'S FIRST NAME]
- g. [VICTIM's Full Name]
- h. Would you use this piece of meat?
- i. Love exposing the fat slut

26. Records provided by Google for the GMAIL 2 account list the SUBJECT IP and GUEST's phone number as being associated with the account. The records for that account also demonstrate the following:

- a. An iPhone 12 mini named "David's iPhone" is associated with the account;
- b. A Mastercard ending in 6581 and in GUEST's name was associated with the account (this card was utilized for multiple purchases associated with both GMAIL 1 and GMAIL 2 in GUEST's name);
- c. In June 2021 and September 2021, the account user purchased business cards from Vistaprint, which were shipped to the 21 Probert Street address in GUEST's name;
- d. In August 2021, the account user scheduled a barber appointment, providing GUEST's name and the GUEST's phone for the reservation;
- e. In August 2021, the account user filled out a contractor form using GUEST's name and phone number; and
- f. In October and December 2021, the account user received emails from MyCare Rochester Regional Health for David GUEST.

27. Based on the above, there is probable cause to believe that GUEST created and controls the GMAIL 2 account.

28. The records for GMAIL 2 also confirmed that the account was used to carry out some of the criminal offenses described above. For example, the records show that in October 2021, GUEST made multiple name changes to his Instagram account, which was linked to GMAIL 2. GUEST changed his Instagram names to: “iknowyoulikeit\_00” and “[VICTIM’S NAME]\_boobs.” In addition, in October 2021, GUEST used GMAIL 2 to create a Kik account with the username “easyname5,” which was then used to post the VICTIM’s images onto Kik as described above.

29. On January 14, 2022, a search warrant was served on Instagram for the anonrh\_ account (SUBJECT INSTAGRAM). Based upon the return, the account was registered utilizing GMAIL 1, GUEST’s phone, and the SUBJECT IP. GUEST posted approximately 19 explicit images and videos of the VICTIM onto his Instagram page, including the account’s profile picture. GUEST also searched for a number of Instagram accounts belonging to the VICTIM’s family members. By becoming “friends” with these accounts, they would have been able to see any explicit current images posted by GUEST onto the anonrh\_ account. Between 4 December 2021 and 1 January 2022, GUEST likewise communicated extensively with another Instagram user (“jblackwood\_46”) who appeared to be a high school classmate of the VICTIM. In these communications, GUEST sent approximately 14 explicit photographs and 9 explicit videos of the VICTIM and engaged in sexually degrading conversations about the VICTIM.

30. In February 2022 I analyzed IP logs associated with some of the above-referenced accounts that were used to harass the VICTIM and distribute her photos online. I observed that GUEST accessed many of these accounts from the same IP Address within a

short timeframe. For example, on October 8, 2020, GUEST accessed the daveguesstbusiness@gmail.com, daveguestmoving@gmail.com, and Desperate-Ad-7839 Reddit accounts within approximately 1 second from the SUBJECT IP. In total, the IP analysis indicates that GUEST controlled the following accounts:

- a. daveguesstbusiness@gmail.com
- b. daveguestmoving@gmail.com
- c. easyname5 (Kik)
- d. anonrh\_ (Instagram)
- e. j.dobyl@yahoo.com (Instagram)
- f. Desperate-Ad-7839 (Reddit)
- g. rahpics1@gmail.com

31. Based on the above, there is probable cause to believe that DAVID GUEST utilized various email and social media accounts to harass the VICTIM and share her explicit photos and videos with others, including the VICTIM's family and associates in violation of 18 U.S.C. § 2261A(2)(B).


32. On February 15, 2022, members of the FBI executed a search warrant at GUEST residence, the SUBJECT PREMISES. GUEST was present during the execution of the search warrant and was interviewed by Agents after having waived his *Miranda* rights. During the interview, GUEST admitted that he created and used many of the above-referenced accounts to distribute images of the VICTIM online. GUEST admitted that the VICTIM did not know that GUEST was responsible for this conduct, and further admitted that while engaged in this conduct he remained in contact with the VICTIM and her family. When asked why he would do this, GUEST indicated that he got a "rush" from having others view the VICTIM'S photos. GUEST said that he used his personal phone, an iPhone 12,

while perpetrating the offenses, which is the model phone that was referenced in several of the search warrant responses described above. GUEST specifically admitted sending the above-referenced photos communications to the VICTIM's "FAMILY FRIEND," but denied sending them to her family.


33. As a result of GUEST'S actions, the VICTIM has suffered significant distress, which has impacted both her physical and mental health. As a graduate student, the defendant's actions have affected the VICTIM's ability to focus on her studies and the VICTIM fears that the defendant's actions have injured her reputation and future professional prospects.

**Conclusion**

34. Based on the foregoing, I respectfully submit that there is probable cause to believe that DAVID GUEST has violated 18 U.S.C. § 2261A(2)(B).

  
JORDAN F. SLAVIK  
Special Agent  
Federal Bureau of Investigation

Affidavit submitted electronically by email in .pdf format. Google administered, and contents and signature attested to me as true and accurate telephonically pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on February 15, 2022.

  
MARK W. PEDERSEN  
United States Magistrate Judge